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A
NARRATIVE
WITH
REFLECTIONS
ON THE
MANAGEMENT
Of the late Contest for the
VICARAGE
OF *Leeds*
LEEDS:

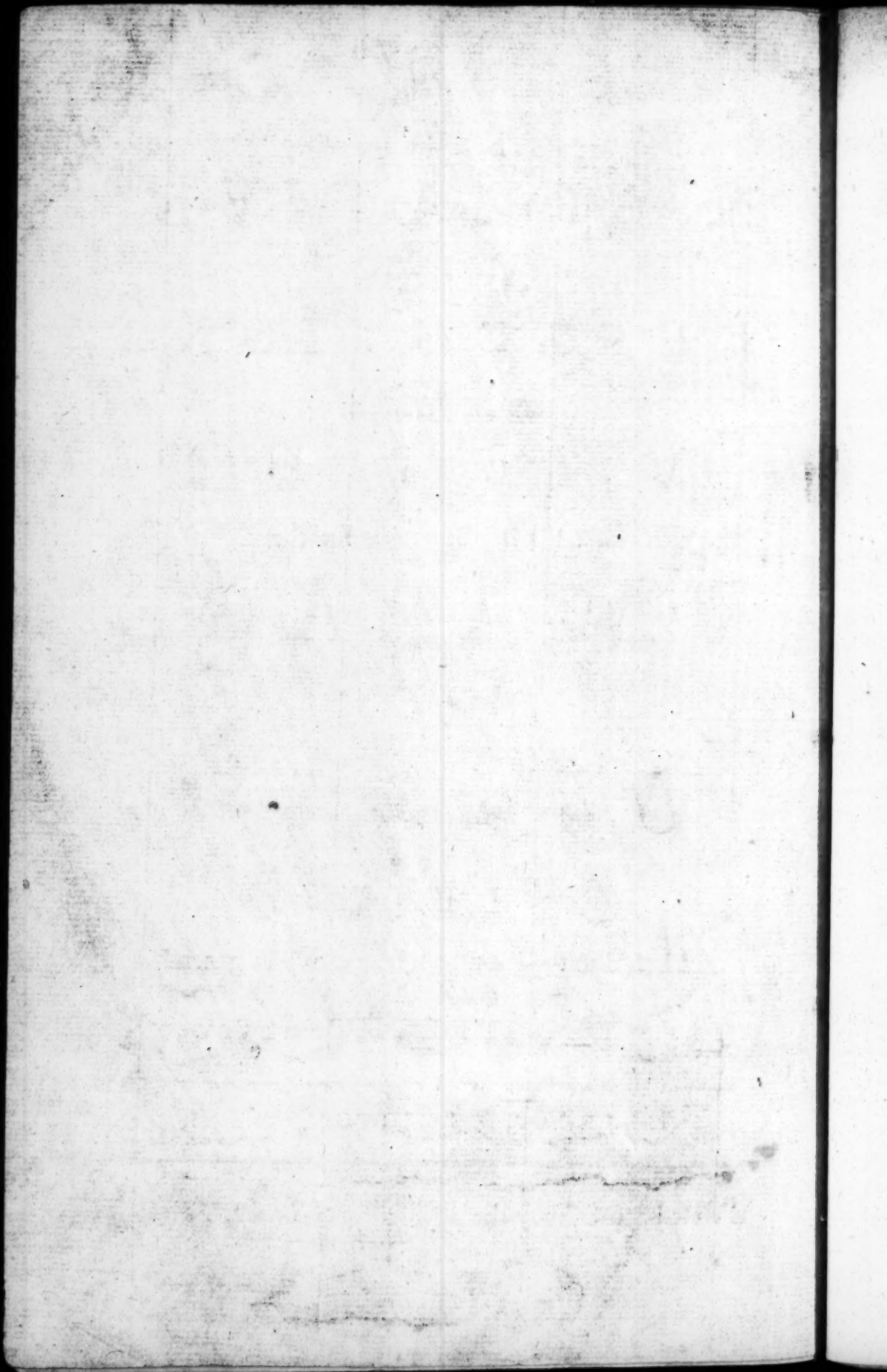
In a LETTER

Address'd to the PARISHIONERS in general,
And particularly
To the TRUSTEES of the ADVOWSON;

The SECOND EDITION, Corrected.

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A

NARRATIVE

With Reflections on the Management of
the late Contest for the Vicarage of
LEEDS:

In a Letter address'd to the Parishioners in general;
and particularly to the Trustees of the Advowson.

Friends, and Fellow-Christians!



THE Relation I have bore to you upwards
of three and twenty Years, as a Minister
legally called and appointed to preach the
Word of God among you, makes it pro-
per if not necessary to address my self to
you, in a few Words, on the present Si-

tuation of Affairs in this Parish.

There can be few of you insensible of the pernicious
Effects which the Contest to succeed your late Vicar hath
unhappily produced. I heartily wish that the Event at last
may turn out to your spiritual Edification and Advantage;
and that the Person on whom that important Charge is
likely to devolve, may in every Respect answer the De-
scription, required in the Decree of Lord-Keeper *Bacon*,
of being an *able, learned, godly, sufficient, and fit Person*;
i. e. a Man of God, thoroughly furnished for the great
Work he is to undertake. Should this prove the Case,
it must be acknowledged to redound to the Credit of those
who had the Wisdom and Prudence to make so good a
Choice; but even then, how far it would be from justifying

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fyng the several Measures that have, as well before as since, been pursued, in order to render that Choice effectual, is submitted to be judged of by the following Facts and Observations, for the Truth whereof I appeal to yourselves.

After the Death of the late Mr. *Cookson*, which happened on the 20th of *February* 1745, the Trustees possess'd of the Advowson of the Vicarage were to act by the Direction of that Decree, whereby they became vested in their Trust. This and the Usage upon former Vacancies was *all* the Light they had *then* to go by; and *neither of these* prescribing any Rule or Method, whereby the several Trustees were to be call'd together, the first Point naturally to be considered was, how they should know each others Sentiments, or come to an Agreement about a Successor to the late Vicar. Mr. *Wilson*, Recorder of the Borough of *Leedes*, being at that Time the senior Trustee resident in the Parish, understood *Lord Bacon's Decree* too well, to think himself or any one else *authorised* to summon his Fellow-Trustees to a Meeting. He therefore *proposed* it to one of the Churchwardens, as a Thing that would be *proper* for some of *them* to wait on the several Trustees then in Town, and to signify it to each of them as *their own* Desire, that they would please to meet their Brethren in the Trust on the 27th of the same Month, at the Vestry of the Parish Church. There were *twenty* of them who met accordingly; when they settled and agreed on several Preliminaries to be a Rule of Proceeding at a *future Meeting*, which they appointed to be held on the 22d of *March* following for the Choice of a Vicar; but, *which is very remarkable, from what hath since happened*, without ordering *any Notice at all* to be sent or given of such appointed Meeting to *any of the four absent Trustees*; who were left to get their Intelligence of it in such a Manner as they could;——a clear Demonstration how little *this Circumstance of Notice* (what Strefs soever hath *since* been laid on it) was considered as necessary *at that Time*, in order to make a valid Presentation.

How

However, notwithstanding this important Defect, the whole Number of Trustees, (being *willing then*, it seems, to execute their Trust,) without Complaint from *any hand* of wanting due and sufficient Notice, appeared at the Time and Place appointed; when, proceeding to a Poll, the 24 Votes were equally divided, 12 being in *my* Favour, and 12 for Mr. *Kirshaw*. The Consequence of this Equality was, a Proposal from some Friend to Mr. *Kirshaw*, that each Party should present the Candidate they had voted for to the Archbishop of York, and leave it in *his* Choice to grant Institution to which of them he pleased. But this Proposal, involving a Breach of Trust in it, was objected to by the Trustees in the opposite Interest, so that nothing was concluded but that the Affair must rest, till some one of the Trustees should either die or change his Opinion; on which *last supposed bare Possibility* a very memorable Declaration was made, "That he could be no Man of Honour, who should recede from what he had done."

Things continuing in this Posture almost five Months, about the 12th of *July* Dr. *Tomlinson*, a Trustee, who had voted by Proxy for Mr. *Kirshaw* died in London; of whose Death, *that* Gentleman is here called upon to say, whether he had not Intelligence sent him presently after; or whether he was kept unacquainted with it till the 5th of *August*, when the Rumour of it first came to *my* Hearing? If the *first*, which there are Grounds to believe, was the Case, every Parishioner has a Right to enquire, why the *popular Election*, which not long after was set on Foot, was *not* begun sooner; since the Right which the People could gain by Devolution had already been in Force more than three Weeks? Could it be for the Benefit of the Parish, that the Vicarage should be kept vacant longer than was necessary? It is possible Mr. *Kirshaw* may not chuse to give an Answer to either of these Questions; but *'till he does*, the Privacy in which that Accident was kept, and the forbearing to call the Parishioners together to chuse themselves a Vicar for so long a Time, will

will be strong Presumptions, That *the Design* at Bottom was, to prevent the *Trustees* from any further Meeting to execute their Trust, under the *false* Supposition that the Equality of Votes was still subsisting; which was no better than endeavouring, as far as *he* could, to defraud them ALL of their Right;--That, if by any Management it could be brought about that the six Months could be got over, so that the Living might lapse to the Ordinary, *he* had determined to have as few Obligations *to the People*, as he had Hopes from the *Trustees*; however it afterwards was thought expedient, to court their Favour and solicit their Votes, with so much Industry, and unbecoming, not to say, simoniacal Application: All which I firmly believe was owing not so much to the Circumstance of Dr. *Tomlinson's* dying *after* the Expiration of the four Months from the Vacancy of the Church, as *to the Discovery* that he was dead at all.

These Reflections being all I think proper for Insertion in this Place, I shall now return to the Series of Facts which were immediately consequent after Dr. *Tomlinson's* Death became publick and certain.—My Friends being become the *major Part* of the Trustees in being, were by me applied to with a Request that they would execute their Trust. Now it happened that several of them were at that time out of the Parish; among whom was Sir *Henry* (then Mr.) *Ibbetson* to whom therefore I dispatched a Messenger, with a *blank* Letter of Attorney, which he thought fit to execute, empowering Mr. *Micklethwait* to act as his Deputy in what should be necessary towards an effectual Choice and Presentation of *to me* the vacant Vicarage. The rest who were absent did the same; so that on the Evening of the 6th of *August*, being sure of a Majority of Trustees in my Favour, I took Horse and waited on Mr. *Barker* at *Potter-Newton*, with no other Intent than by acquainting him how my Affair stood, and *letting him know* the Intention of my Friends to have a Meeting on the Day following, in order to a Confirmation of their Choice, and signing *me* a Presentation, to prevail
with

with him to join with them, as I hoped he would, in what they should do therein.

The Answer he gave me was, *that he had heard of Dr. Tomlinson's Death, but having seen none of Mr. Kirshaw's Friends whereby he could inform himself of their Intentions,* I must not expect that he wou'd play Booty ; but that after he had met and consulted with *Them*, which he expected to do the next Day, he wou'd concur in what shou'd be resolved on at *Their Meeting*.

On the 7th of August I visited, with the same Design the Houses of Messrs. *Tho. Denison, Wm. Preston, and Robert Denison*, without finding any of them at home ; but was told by a Servant of the *last*, that her Master was gone to Prayers, at the Parish-Church ; whither therefore I made my Way immediately ; yet called first at the House of *Mr. Gautier*, with Intent to desire he wou'd be present when I shou'd speak on the Subject beforementioned to *Mr. Robert Denison* ; but *Mr. Gautier* being not at home, I expressed my Design to *Mrs. Gautier*, and requested *Her* to send a Messenger into the Church to see if *Mr. Denison* was there ; and being presently informed he was, I was in great uneasiness to find some proper Person to be a Witness of what shou'd pass between *Mr. Denison* and myself, when I shou'd accost him at his coming from the Church.

While I was in this Distress *Mr. Every* and *Mr. Micklethwait* chanc'd to be riding down Kirkgate, whom therefore I applyed to, and acquainted with my Design ; requesting they wou'd oblige me so far as to alight from their Horses, which they readily consented to, and wait with me for *Mr. Denison's* coming ; when upon *his* approach, which was soon after, *I told him*, as *Mr. Every* deposes ; “ That I had just before been at his House, “ where being informed that He was gone to Prayers “ at the Parish-Church, I had made it my Business “ to meet him as he returned from thence ; and *did* “ farther in his [*Mr. Every's*] hearing and Presence, “ acquaint him the said *Robert Denison*, that the Trus-
“ tees

“ tees for the Vicarage who were in *my* Interest intend-
 “ ed that Afternoon at *Three o’Clock* to meet at the
 “ *King’s-Arms, to elect a Vicar* for the Vicarage afore-
 “ said; and that I did also at the same Time, ask the
 “ said *Robert Denison*, if the said *Robert Denison*, or
 “ *any other* of the Trustees who were in the Interest of
 “ *Mr. Kirshaw*, wou’d attend at such Meeting, and
 “ join in the Election; And that the said *Robert Deni-*
 “ *son* then made Answer, that *He wou’d not* attend there-
 “ at, and believ’d that *no other* of the said Trustees who
 “ had voted for the said *Samuel Kirshaw* wou’d attend
 “ it; *for that* the Attorney General had given it as his
 “ Opinion that *the Power* of the Trustees was ceased
 “ and determined: And that the said *Robert Denison*
 “ *after this* told me, that *a Meeting of the Trustees* who
 “ had voted for *Mr. Kirshaw*, was to be had that same
 “ Afternoon at the Talbot-Inn, at *Five o’Clock*; upon
 “ which *I told him*, that as the Meeting of my Friends
 “ was intended to be had at the King’s-Arms at *Three o’*
 “ *Clock*; and as the meeting of the Friends of *Mr. Kir-*
 “ *shaw* was appointed at *Five*, I wou’d endeavour to
 “ prevail with my *own Friends* to put off *their* Meeting
 “ to the same Hour.”

Had it not been for this Information from *Mr. Deni-*
son that *Mr. Kirshaw’s* Friends had appointed a Meet-
 ing that Afternoon, I had determined to wait on *them*
all severally at their Houses, to acquaint them with what
 my Friends Intention was, and to desire their Concurrence;
 not that I considered this as a Thing necessary in Point
 of Law, but I resolved to do it out of pure Complaisance,
 and lest it shou’d afterwards be objected to me as a De-
 fect in point of good Behaviour, if I had omitted doing
 it. For having *consulted* with *Mr. Wilson* on what was
 proper to be done on *that Occasion*; *his* Advice at first was,
 that I shou’d wait on *Mr. Smith*, who at that Time was
Mayor, and request that *He* in his own Name shou’d
 send some of his own Officers to the several Gentlemen
 concerned in the Trust; desiring that they would please

to meet again, in order to fill up the Vacancy in the Church, which, now, by the Death of Dr. *Tomlinson* being become an odd Number, they might have an Opportunity of doing ; and withal to specify both the particular Time and Place for their so compleating what they had left unfinished.

I waited on Mr. *Mayor* accordingly, and acquainted him with this Advice of the *Recorder* ; but, tho' I have no Reason to doubt of his Inclinations to serve me, he desired to be excused ; alledging as a Reason for his Non-compliance, That this being a Matter in which he had nothing to do as a Magistrate, he did not chuse to subject himself to a Charge of Impertinence, in having taken upon himself to Summon Gentlemen together, in a Business wherein he had *no Authority*.

This Answer of the Mayor I communicated to Mr. *Wilson*, who, knowing the same Objection wou'd naturally lye against every other Person *giving the Notice*, and that the Lord *Bacon's* Decree, neither required nor empowered *any on* to give it, was of Opinion it might be done as effectually by *myself* ; at the same Time, that it wou'd be a Token of Respect.

Accordingly I set about it, as related above, and had actually been at Four of the Trustees Houses before I met with Mr. *Robert Denison*, who, being a *principal Person* in forming the Interest *opposite* to mine ; it is left for any Man to Judge, whether *there was or cou'd be* any thing *Unfair*, or *Clandestine* in what my Friends *proposed* and intended to do at their Meeting.——On the contrary, it was a Thing *generally known* and believed throughout the Town that *my Election* wou'd be perfected and a Presentation signed that very Afternoon.——Yet *before* that was done, I made it my Business to acquaint my Friends with the Conversation which had passed with Alderman *Denison*, and of *the Meeting* he had told me was to be at the *Talbot*, at Five o'Clock, of Mr. *Kirshaw's* Friends. For which Reason I desired They wou'd Postpone *their own* assembling together at the

the *King's Arms* 'till the same Hour ; which being readily assented to, I sent Mr. *Moxon* to acquaint Mr. *Denison* therewith, which accordingly he has deposed upon his Oath, *that he did*.

On the same Day, viz. *August 7th, at Five o'Clock*, Mr. *Wilson*, Mr. *Sawer*, Mr. *Micklethwait*. Mr. *Cookson*, Mr. *Lodge*, Mr. *Fenton*, and Mr. *Gervase Smith*, met in pursuance of my Request ; and the first Thing they did, after they were all assembled, was to depute Mr. *Thomas Lodge and my Self*, to wait on the Gentlemen, supposed, according to Mr. *Denison's* Information, to be at the same time assembled at the *Talbot*, and to acquaint them with the Business *They* were going about, and to desire their Concurrence, according to the Agreement which they had all signed the 27th of the preceeding *February*, (viz.) to joyn in a Presentation of such Candidate, as shou'd appear at a future Meeting to have a Majority of Trustees in his Favour.

This Message we went to deliver accordingly ; but meeting with Mr. *Newsham* in our way, I stopped him to ask whether any of Mr. *Kirshaw's* Friends in the Trust were got together at his House ? He answered, that several of them *had been* there, but that they were *all gone again, and dispersed*, not having stayed long enough to sit down, or to call for a Glass of Wine.

Now, I call upon the Gentlemen who thus met and dispersed, viz. Messieurs *Thomas and Robert Denison, William Preston, Henry Pawson, Edmund Barker, Richard Tottie, John Brooke, and Robert Dixon*, to say what the *True*, not the *Pretended*, Reason was of this *sudden Dispersion*. Whether it was not *purposely* to avoid an Application which They Feared and Expected, wou'd be sent from the other Trustees at the *King's-Arms*, to desire their Concurrence, in the Choice and Presentation of some Person to the Vicarage ? If any One amongst them will Conscientiously Affirm that this was *no part* of the Aim in View ; or that He really *had it not in His Power* for want of Knowledge only, and

not of Inclination to concur in what was going forward at the *King's-Arms*, I will submit Publickly to ask Pardon of such Person for having suspected him of being drawn into Wilful and Corrupt Perjury.

But when I see *an Answer* cooked up like that of *Alderman Denison* to my Bill in Chancery, with all the Artifice imaginable to *disguise His real Knowledge* and to make a Shew of *His pretended Ignorance* of the appointed Meeting of *my Trustees*, and the Purport of it — when the Discourse I had with him is represented by Mr. *Every* and Mr. *Micklethwait*, both Gentlemen of the strictest Honour, and upon their Oaths, so very *differently* from that *Studied Tale* which He has related *himself* of what passed between us, at His return from Church;—and when the rest of the Gentlemen whom I here apply to, once more, for an explicate Answer to this Question, *whether They knew or were Ignorant* of my Friends Meeting at the *King's-Arms*, and the Intent of it,— when these Gentlemen, I say, instead of answering to the Point *directly*, are found manifestly endeavouring to evade it, referring themselves to Mr. *Robert Denison's* Answer, and under the studied Imperfection and Ambiguity of *That* seeking a Colour for *their own* Ignorance of a Thing they either *did* or *might* certainly have known, *if They had so pleased*.—They must excuse me if *I fear* that *all* this Shuffling and Mincing the Truth, to the Prejudice and irreparable Damage of a Person whose whole Aim was Fair and Honourable, and whose Openness and Ingenuity has been the very Handle laid hold on, whereby to ruin His Just Pretensions, *will make their last Moments*, if they be then in their Senses, *full of Remorse and Bitterness*; and that they will see Things *then* in quite another Light, than at present the Blaze of Party-Zeal, and the Insolence of Conquest, will suffer them to be viewed in, and considered as they ought to be. And let not any Man imagine that these Forebodings which I feel, and which I pray to GOD, that
 none

none of them may experience hereafter to prove too true when it comes to be too late for Repentance, are thrown out from any Hopes or Prospect which I have of Rebuilding my Pretensions, or renewing my Title. No, I am better acquainted with the Corruptions of the World, than foolishly to expect that Truth and Justice are likely, by dint of their own Force, to get the better of Prejudice;—of Prejudice especially that has gathered Strength from a long Opposition, and finds it self at last crowned with Victory and Triumph.

But to return from this Digression, if it will bear that Name; finding from Mr. *Newsham* that it was to no purpose for Mr. *Lodge* and myself to proceed any farther, we return'd immediately to the *King's-Arms*, and inform'd the Gentlemen we had there left of the Intelligence we had got of Mr. *Kirshaw's* Friends having met and dispersed in the manner aforesaid; from which the unanimous Conclusion was, that the opposite Party had determined to shun having any Thing to do in confirming my Election, or signing my Presentation.—And Mr. *Wilson* judging neither of those to be necessary, advised the Company present to proceed in finishing the Business they were met for.—Accordingly being furnished with the Letters of Attorney from Sir *William Rooke*, *Sam. Killingbeck*, Sir *Henry* (at that time Mr.) *Ibbetson*, *Walter Stanhope* and *Richard Lepton*, Esqrs. who, together with themselves, were a Majority of all the surviving Trustees, they sign'd my Presentation; which, accompanied with Mr. *Barstow*, and his Clerk, I carried immediately to Mr. *Robt. Denison*, requesting Him, and Mr. *Barker* who was at that time with Him, that they wou'd please to join in setting their Hands to it—But what was their Answer? That they wanted due or sufficient Notice of my Friend's Meeting? Or, that they were not apprized what the Intent or Purport of it was? No, They suggested nothing with any such Tendency; That was reserv'd for an Engine to destroy my Title if Occasion should be found for it afterwards; but for the present

present, they excused themselves with alledging, That the Trustees had lapsed their Time for Action ; that the Attorney General had given his Opinion, that the Right of Election, after four Months, had devolved upon the Parishioners at large ; and in short they absolutely refused to sign it. The like Tender was made to each of the other Trustees in Town (excepting Mr. *Thomas Denison* and Mr. *Pawson* who cou'd neither of them be found) and an Answer to the same Effect with Mr. *Denison's* was received from each of them. Had there any Objection been raised *at that Time*, against the Imperfection or Shortness of the Notice given them, it might easily *then*, and there is all the Reason in the World to believe it wou'd, have been removed, and some future Day appointed for their better Conveniency of assembling together. To *take Advantage* therefore of such an Omission ; an Omission, which these very Trustees themselves must naturally have fallen into, in the like Case ; an Omission which must be owned to have consisted only in matter of *Form* ; for the *Substance*, which was Knowledge of what was transacting, it will not I presume be denied they were possess'd of ; an Omission, owing its Original entirely to the Imperfection of *Lord Bacon's Decree* ; an Omission, that never had been insisted on before, and which *it was not known* in what manner it *cou'd* have been properly prevented ; to *take Advantage* of such a *Circumstance*, I say, to the Subversion of a *just* and otherwise *legal* Title, to the great Detriment of a Person's Fortune and Family whose Duty it was to support and maintain it, and which even still might be made valid, but for the Death of *one* Patron, the Absence of *another*, and the Desertion, as it seems without Grounds of a *third*, *all long since the Time* of my Presentation's bearing Date ; if this be acting either by the Rule of Reason, or the Laws of Christianity, which both inculcate strongly the Duty of doing as we wou'd be done by, then I must own myself incapable of judging what is right or wrong.

The Thread of my Story wou'd here lead me to a Representation

presentation of the Tumults and Distractions occasioned by the *popular Election* — a Scheme projected without the least Foundation either in Reason, Law, or Custom to support it — yet sufficient, as it unhappily proved, to oblige me to a *legal Prosecution* and Enforcement of my own Claim. — But I chuse to forbear dwelling on a Subject, which must necessarily renew, in every serious Christian, many shocking Ideas of the manifold Prophanations of that sacred Place, which is the Scene of our solemnest Acts of Devotion. Give me leave therefore only to put you in Remembrance, that I had no Hand in, nor concern'd myself about the Event of it; and that however several of Mr. *Kirshaw's* Friends wou'd appear in *their Answers* to my Bill in Chancery, to have concerned themselves no otherwise at it than as *meer Spectators*, I cannot understand how *that* can be reconciled with the Depositions of other Persons upon Oath, that some of 'em were not only the Contrivers, but the Conductors and principal Abettors of it.

I cannot take my Leave without some little Notice of the various Reflections, which, from the Time of my appearing as a Candidate for the Vicarage, were very industriously raised and propagated to the Disadvantage of my Character. For though Calumny and Slander in every Instance are heinous Offences in the Sight of God, yet the Malignity of them may be heightened not a little, by the aggravating Circumstance of being levell'd at Men, whose Office being to minister in holy Things, *their private Conduct* cannot be aspersed without great Detriment to the *publick Good*. 'Tis on this Consideration that my Heart bleeds for several among you; who, though they cannot but be conscious of their Guilt on this Head, I am afraid are in no Disposition to repent of it; which yet unless they do, neither my Declaration of my hearty Forgiveness, which they here have, nor the Absolution of *that Pastor* whom they designed those Slanders should be instrumental in serving and procuring to be set over them, will avail them any Thing at the Day of Retribution.

For

For let them not vainly flatter themselves, that having handed to others such Reports *only*, as they had both *heard and believed* to be true, will be sufficient to justify their Conduct at God's Tribunal. For, if the publication even of known *Truths* tending to defame one's Neighbour be criminal in all Cases where such Publication is not necessary; what must *their Guilt be*, who have been industrious in spreading Reports to the Disparagement of a Minister of Christ, when less Pains than they used to blast his Reputation, might have brought them in irrefragable Proof, that the very *Ground was false* on which these Reports were raised? That *this is the Case* of several among you I have the Charity to believe; Charity I say, as being willing to hope, that there are not *many* of so bad a Turn, as *wilfully* to have propagated malicious Stories, *knowing* them to be *false*. Who the *few* may be that are really Guilty of that presumptuous Wickedness, their own Consciences can best inform them, particularly *theirs* who were the *first Inventors*, as knowing themselves destitute of *a single Fact*, to bear them out in maintaining the mischievous Tales they sent out into the World, and which were the Spawn originally of their own wicked Heads, in Conjunction with their worse and more corrupt Hearts.

I shall close these Reflections with desiring you *to note*, that how just soever my Ground of Complaint is against *those Trustees*, who compell'd me to seek Redress by Law, from the Sufferings they have contrived to bring me under; yet by what has been said, not the least Impeachment is either due, or intended against the Honour and Equity of *that Court*, which, *for Want of Evidence* of the Truths abovementioned, and which had been stifled in the Breasts of those *who knew them to be Truths*, has *not decreed* in Favour of my Claim. Yet, however by this Means *the Cure of your Souls* is likely to center in other Hands, a Readiness to assist you in *any Office*, that may contribute to the furtherance of your Salvation, shall never be found wanting in your faithful Friend and humble Servant,

Leeds, March 11th 1751

James Scott.

